

LAWRENCE F. RUGGIERO

ATTORNEY AT LAW  
167 EAST 61ST STREET  
SUITE 17E  
NEW YORK, NEW YORK 10021

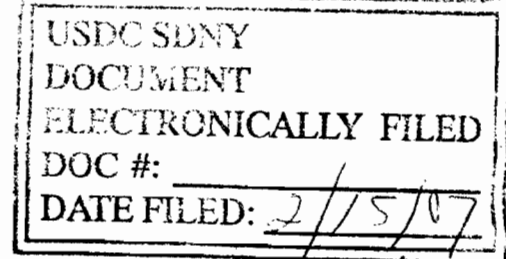
(212) 406-2910  
FAX (212) 759-4463  
E-MAIL LAW@RUGGIERO.MINDSPRING.COM

FEB 14 2007

February 12, 2007

**VIA FACSIMILE**  
**& FIRST CLASS MAIL**

Honorable Shira A. Scheindlin  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007  
Fax No. 212/805-7920



Re: Commodity Futures Trading Commission v. Richmond  
Global Associates, LLC, et al.  
Docket No. 05 Civ. 2181 (SAS)

Dear Judge Scheindlin,

I'm writing pursuant to my conversation with Chambers this afternoon to request permission to file an untimely response on behalf of Joseph Pappalardo to the Summary Judgement Motion pending in the above case. I was unable to comply with this Court's February 2, 2007 deadline for filing such a response because during the last three months I have had one surgery and have been undergoing medical treatments which have confined me to my home and which have almost completely eliminated my ability to work.

The response I had intended to make was simply to request that this Court delay its ruling on this pending Motion for Summary Judgement until after February 23, 2007, when Mr. Pappalardo will be sentenced by the Honorable Raymond J. Dearie on his guilty plea to the fraud underlying this Summary Judgement Motion. I would also request that this Court adopt Judge Dearie's findings with respect to the specific amount of loss and restitution for which Mr. Pappalardo is responsible.

Mr. Pappalardo's guilty plea was pursuant to an agreement with the government that Mr. Pappalardo was responsible for fraud losses between \$200,000 and \$400,000 in this case. At that sentencing, I will request that Judge Dearie make a specific finding regarding the amount of loss for which Mr. Pappalardo is responsible in light of the fact that the pending Summary Judgement Motion states the specific loss for which a co-defendant is responsible, but does not state the specific loss for which Mr. Pappalardo is responsible. I have spoken to opposing counsel, Ms.

Honorable Shira A. Scheindlin  
February 12, 2007  
Page 2

Karin N. Roth, and she consents to my making this request for permission to file an untimely response.

Very Truly Yours,

  
Lawrence F. Ruggiero

cc: Karin Roth, Esq.,  
U.S. Commodity Futures Trading Commission  
140 Broadway, New York NY 10005  
Fax: 646/746-9940


Natalie A. Napierala, Esq.  
Counsel to the Receiver John Moscow  
Rosner & Napierala, LLP  
26 Broadway, 22<sup>nd</sup> Floor  
New York, NY 10004  
Fax: 212/785-5203

Richard J. Shanley, Esq.  
Attorney for Ronald Turner  
321 Flatbush Ave.  
Brooklyn, NY 11238  
Fax: 718/398-3985

Dated: February 14, 2007

Defendant's request to  
file an untimely response  
is granted. Defendant  
shall serve his response  
no later than February 28, 2007.  
Plaintiff's reply shall  
be due March 28, 2007.

SO ORDERED:

  
Shira A. Scheindlin  
U.S.D.J.